

S.B.CIVIL WRIT PETITION NO.4018/2004

Narpat Singh
V.
State of Rajasthan & Ors.

DATE OF ORDER :: 16th May, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. P.S.Bhati, for the petitioner.
Mr. S.S.Ladreacha, Additional Government Advocate.

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After holding an inquiry under Rule 17 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 (hereinafter referred to as "the Rules of 1958") the Principal, Rajasthan Police Training Center, Jodhpur, imposed a penalty of censure upon the petitioner. An appeal giving challenge to the order dated 21.1.1993 was preferred by the petitioner before the Deputy Inspector General of Police, RAC Range Ist, Jaipur in the year 2000, that came to be rejected by order dated 1.3.2000 being barred by limitation i.e. of 90 days, hence, this petition for writ is preferred.

Heard counsel for the parties.

In entire memo of appeal or even in petition for writ it is nowhere stated that what was the reason for causing delay in filing the appeal. The limitation for filing an appeal is of 90 days and admittedly the

petitioner did not prefer that within the period prescribed. It is true that the appellate authority is having powers to condone the delay in filing the appeal but for that availability of sufficient grounds is necessary. In the instant matter no ground whatsoever is mentioned by the petitioner for causing delay in filing the appeal and, therefore, I do not find any error in the order impugned whereby the appeal preferred by the petitioner was rejected being barred by limitation.

It is also pertinent to note that this petition for writ was filed before this Court on 21.8.2004 i.e. after a lapse of a period of more than four years from the date of issuance of the order impugned. No reason is given by the petitioner for causing such inordinate delay in filing the present petition for writ. On this count too I do not consider it appropriate to interfere with the order impugned.

In result, for the reasons mentioned above, this petition for writ is dismissed.

(GOVIND MATHUR),J.

kkm/ps.